

Examination of a sample of the article by the Bureau of Chemistry of this department showed that in 3 half cases there were 208 inedible eggs, or 38.51 per cent.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On October 7, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7198. Misbranding of Mazo. U. S. * * * v. Commercial Laboratories, Inc., a corporation. Plea of guilty. Fine, \$50. (F. & D. No. 9865. I. S. Nos. 4876-p, 4877-p.)

On July 14, 1919, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Commercial Laboratories, Inc., a corporation, doing business at Newark, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on or about April 20, 1918 (2 shipments), from the State of New York into the State of Georgia, of a quantity of an article, labeled in part "Mazo," which was misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the product to consist essentially of corn starch, skimmed milk powder, and sodium bicarbonate.

Misbranding of the article in each shipment was alleged in the information for the reason that the statements, to wit, "10¢ Package Does the Work of One Dozen Eggs," "Use contents of This Package as One Dozen Eggs," "Use Mazo Instead of Eggs in Baking and Cooking," "For Use Instead of Eggs in Baking and Cooking," "In Place of Eggs Called For in Recipe Use One Teaspoon Mazo," "In Muffins, Quick Breads, * * * Mazo may be used to entirely replace eggs," "In recipes requiring a large number of eggs, * * * the number of eggs required may be materially reduced by using Mazo for one-half the eggs required by recipe," borne on the packages containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was an egg substitute, that is to say, that one ten-cent package of the article would do the work of one dozen eggs, and that the contents of one of said packages could be used in place of one dozen eggs, and that said article could be used instead of eggs in baking and cooking, and that one teaspoonful of the article could be used in place of each egg called for in recipe, and that the article could be used to entirely replace eggs in muffins, quick breads, etc., and that the number of eggs required in recipes requiring a large number of eggs could be materially reduced by using the article for one-half the eggs required by the recipe, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the article was an egg substitute, that is to say, that one ten-cent package of the article would do the work of one dozen eggs, and that the contents of one of said packages could be used in place of one dozen eggs, that the article could be used instead of eggs in baking and cooking, and that one teaspoonful of the article could be used in place of each egg called for in the recipe, and that the article could be used entirely to replace eggs in muffins, quick breads, etc., and that the number of eggs required in recipes requiring a large number of eggs could be

materially reduced by using the article for one-half of the eggs required by the recipe, whereas, in truth and in fact, it was not an egg substitute, that is to say, one ten-cent package of the article would not do the work of one dozen eggs, the said article could not be used instead of eggs in baking and cooking, and one teaspoonful of the article could not be used in place of each egg called for in the recipe, and could not be used to entirely replace eggs in muffins and quick breads, and the number of eggs required in recipes requiring a large number of eggs could not be materially reduced by using the article for one-half the eggs required by the recipe.

On August 12, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*

7199. Adulteration of dried peaches. U. S. * * * v. 1,150 Cases of Dried Peaches. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9875. I. S. No. 6700-r. S. No. C-1105.)

On March 18, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,150 cases of dried peaches, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about December 3, 1918, by Russell Brokerage Co., under the name of the California Peach Growers Association, Inc., Wichita, Kans., and transported from the State of Kansas into the State of Missouri, charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Harvest Home Brand Practically Peeled Peaches" and "Bar B Q Choice Recleaned Peaches."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy and decomposed vegetable product and was of a deleterious character and unfit for use as food.

On March 31, 1919, Niehoff-Schulze Groc. Co., Inc., St. Louis, Mo., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon payment of the costs of the proceedings and the execution of a good and sufficient bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

7200. Adulteration and misbranding of condensed milk. U. S. * * * v. 8 Barrels of Condensed Milk. Default decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9876. I. S. No. 6911-r. S. No. C-1083.)

On March 13, 1919, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 8 barrels of condensed milk, remaining unsold in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped on or about July 24, 1918, by the Litchfield Creamery Co., Litchfield, Ill., and transported from the State of Illinois into the State of Minnesota, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Sweetened Condensed Milk."